

Eugene Nelson
1100 E. Monroe
Rio Grande City, Texas
March 18, 1967

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Statement Concerning My Arrest on June 1, 1966

On the first day of the strike, June 1, 1966, various members of the union were picketing near packing sheds in Rio Grande City. A locomotive engineer, fireman and conductor of the Missouri Pacific Railroad told us that if we stationed pickets at a certain point near the railroad tracks leading to one of the packing sheds, they would be obligated to honor our picket line and would not move the train into that shed to load melons. About 6 P. M. we stationed two pickets on public property at the point indicated, and the railway employees honored our picket line. I left the area to arrange for a rally in the San Juan Plaza.

WALTER
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About 7:15 someone came to the plaza to tell me that the train had crossed our picket line and was preparing to haul out the melons. I went to the picket site and was told by the aforementioned Missouri Pacific employees that company officials were preparing to move the train. I walked down the railroad track about one hundred yards in front of the train and got my foot caught between two rails at a switching point. The train began to move towards me, but finally halted about five feet from me.

A deputy sheriff told me to move out of the path of the train, and I told him my foot was caught. He kept insisting that I move, and I repeated that my foot was caught. A crowd of people, mainly members of the union, began to gather. At no time were they unruly, nor was there the slightest threat of any kind of violence. Rather, there was a jovial mood in the crowd, and they began joking about the incident, and joking about the ice in the refrigerator cars melting.

After about forty minutes two Texas Rangers arrived. One of them carried a shotgun, the muzzle of which he kept pointed at my foot, about two or three inches away, for the next several minutes. The other Ranger, named Preiss, told me to move my foot, and I told him it was caught. He kept insisting I move it, and I kept repeating that it was caught. After about three or four minutes he reached down and untied my shoe, then grabbed my leg and in a very rough manner jerked my foot out of my shoe.

A hundred or more people had gathered by this time, but there was no indication whatsoever of unruly behavior or violence. Nevertheless, Ranger Preiss said to me: "Can't you say something to these people to calm them down?" Although I did not see any danger present, I wanted to be cooperative, and take every precaution to avoid any possible violence or disturbance. I raised my hands in the air to attract the attention of the crowd and said in Spanish: "No violence. No violence." Ranger Preiss then asked me to go with him. "Are you arresting me?" I asked. "No," he said. But he asked me again to go with him. "Are you arresting me?" I asked again. "Yes," he said. "On what charge?" I asked. "On the charge of inciting a riot," he said. He then handcuffed me and he and the other Ranger took me to their car. I felt it extremely unjust that I should be arrested on a charge of inciting a riot after I had just cooperated with the Rangers to prevent the possibility of anything of this sort, and since there was not the slightest indication of anything resembling a riot.

I was taken to the Starr County Jail, where I spent the night. The next day the charge was changed to disturbing the peace. I thought this unjust too. How does one disturb the peace of a locomotive? Furthermore, no one could have possibly known whether or not my foot was genuinely caught between the tracks.

During the next several months I contacted Starr County Attorney Randall Nye at least four times to ask him when my trial would be, and each time he told me a date had not been set. In August I told him I hoped my trial would be soon because I hoped to go to California. He told me no date had been set, and that if I were in California I would have to pay my own expenses to return for the trial. Since I could not afford this, I have been unable to return to California. A date for the trial was not set until January, 1967, seven months after my arrest. The case is still pending.

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K/6

or June 6?

Statement Regarding My Detention in the Starr County Jail on or About June 8, 1966

On June 2, 1966, four Starr County growers and shippers obtained a restraining order prohibiting all picketing at the entrances to their farms and packing sheds.

On or about June 8, Dolores Huerta, Vice President of the National Farm Workers Association, and I were standing at the edge of a public street near the Roma International Bridge talking to strikebreakers from Mexico, asking them not to break the strike. We were pleading with them in a completely peaceful manner. We were at least ten miles away from the nearest ranch or packing shed mentioned in the restraining order. We were at least thirty feet away from the La Casita bus, parked across the street.

About 6:30 AM Raul Pena, Starr County Sheriff's Office chief deputy, approached us.

"So, you're disobeying the restraining order, Mr. Nelson!" he said in a rude and sarcastic voice.

"No, I'm not disobeying the restraining order," I said in a polite voice.

"Yes, you're disobeying the restraining order!" he said angrily.

I explained to him politely the terms of the restraining order, which I had read carefully several times. He kept insisting I was violating the restraining order, and asked me to get in the police car with him.

"Are you arresting me?" I asked.

"No," he said, "but Mr. Nye wants to talk to you." (Mr. Nye is the County Attorney.)

I agreed to go with him. While driving me to the jail at Rio Grande City, fourteen miles away, he kept tapping his fingers excitedly on the back of the seat, occasionally touching his gun. It seemed to me he either was impatient to shoot me, or wished to convey this impression to me to frighten me. About halfway to Rio Grande City he stopped at a private home, entered, and returned to the car about five minutes later.

Then I was taken to the Starr County Jail and locked in a cell, without being booked.

About four hours later I was taken to a room in the courthouse, where Attorney Randall Nye talked with me. He said nothing about

County my violating the restraining order. He told me that there had been some threats of violence, including a threat to bomb the courthouse (which I knew nothing about whatsoever), and that I was being held for investigation by the F.B.I. I told him I knew nothing about any threats of violence. Later, in contradiction to what he had told me earlier, he said that I could go home, and that when the F.B.I. investigator arrived I would be contacted.

An F.B.I. investigator, nor any other person, ever questioned me further about this matter. In my opinion it was a completely dishonest scheme in an attempt to get publicity implying the union or its members had threatened violence, without any basis in fact whatsoever.

Several months later when I was giving an F.B.I. agent, a Mr. Wilson, a report on police brutality, I asked him about this incident. He told me that the F.B.I. had been contacted on this occasion, but that they had not been presented with any sort of evidence which they felt justified an investigation, and had never dispatched anyone to make such an investigation.

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